

CHARGES IN DAVIS CASE BEFORE JURY

Embezzlement and Misuse of Bank's Funds Alleged in Indictment.

OPENING STATEMENTS MADE

W. A. Worth, Former Teller, Witness on Stand During Afternoon.

Times-Dispatch Bureau, 6 Hollingsbrook Street, Phone 1487.

Petersburg, Va., February 7. The case of the Commonwealth vs. Charles Hall Davis, former president of the Appomattox Trust Company, under indictment for alleged embezzlement of the funds of the bank in various amounts and at various times, was called at 11 o'clock. The jurors selected yesterday, after the defense had stricken off four names, were sworn in as follows:

Joel T. Brown, William H. Cooper, A. S. Johnson, H. B. Pugh, John R. Saunders, Charles E. Williams, George L. Trickett, William A. Bruckwell, George D. Harlow, Richard F. Dyer, Emmerville Gray, and Claiborne Pope. There had been practically little trouble in getting a jury.

Yesterday's record of the proceedings showed that three motions and five pleas in abatement, renewed by the defendant, were overruled by the court and exceptions taken.

The first indictment found in these cases against Charles Hall Davis and Carter R. Bishop were returned by the grand jury in February of last year. Since that time, including these and those returned by subsequent grand juries, thirty-three indictments in all have been found against Mr. Davis, and forty-five against Mr. Bishop, of which thirty-one have been dismissed, and against Mr. Bishop, of which thirty-two have been dismissed. The trial of Mr. Davis is now on indictment No. 10, alleging embezzlement. This indictment originally contained 525 counts against Davis and Bishop jointly, alternately as principals and accessories. This indictment has been eliminated of 250 counts, and now embraces thirty-three transactions, with 145 counts.

The reading of this indictment to the jury was begun by Chief Justice, but it was seen that so much time would be required to read it entire that only four of the counts should be read, the phraseology of all being the same, and the items and transactions named in the others only should be called.

The thirty-three items in which embezzlement and misuse of the funds of the bank by Mr. Davis are alleged, with dates and amounts, are given as follows, all within the year 1907:

March 1st, \$238; 8th, \$200; 13th, \$200; 23d, \$188; 27th, \$217.
April 6th, \$350; 15th, \$200; 19th, \$200; 20th, \$796.
May 5th, \$316; 11th, \$181; 17th, \$100; 25th, \$221; 29th, \$107.
June 2d, \$1,660; 8th, \$300; 16th, \$100; 17th, \$150; 21st, \$100; 23rd, \$344; 26th, \$211.

July 2d, \$260; 7th, \$156; 9th, \$200; 12th, \$199; 17th, \$105; 27th, \$300; 28th, \$104; 30th, \$100; 31st, \$353; 15th, \$200 and \$80; 17th, \$50.

Counsel for defense moved the court to require the Commonwealth's attorney to state specifically the amount and date of the transactions set forth in the various counts which he proposes to prosecute. Overruled by the court and the ruling excepted to.

Opening Statements.

Commonwealth's Attorney R. H. Mann addressed the jury in an opening statement in which he outlined what the State expected to prove. While not going fully into every aspect of the case or the general methods to be pursued, he sought to give the jury a fair understanding of the case, and succinctly stated what he expected to prove. Among the proofs he expected to submit was that of conspiracy to misuse the funds of the bank.

Colonel James Mann made the opening statement for the defense, and made an able argument. He thought the statement of the Commonwealth's attorney unfair and unjust. He expected to show that Mr. Davis, by his own personal credit, and without the aid of the directors, saved the bank from ruin during the last panic, and that he had at critical times obtained, by his own influence, credit for the bank when it needed it. There was not a paper of any kind in the bank with which Mr. Davis was connected that was not approved by the directors. Colonel Mann's statement was an answer to the Commonwealth's attorney.

During the opening statements all the witnesses who had been sworn for both sides were excluded from the courtroom. Many of the witnesses for the State were officers, directors and clerks of the Appomattox Trust Company. The court at 2 o'clock adjourned until 4.

Afternoon Session.

W. A. Worth, former teller of the Appomattox Trust Company, was the first witness put on the stand. He testified as to the organization of the Appomattox Trust Company, the predecessor of the Appomattox Trust Company, of which he was the secretary from its organization. Its charter was accepted by the stockholders in 1906. In April, 1907, the name of the Development Company was changed to that of the Appomattox Trust Company, with Charles Hall Davis as president, C. R. Bishop cashier

RICHMOND PEOPLE ATTEND MEETINGS

Local Men and Women are Surprised at Results Received Lately.

The specialists who have charge of the introduction in Richmond of the remarkable new tonic, called "Tona Vita," had a busy day yesterday. A steady stream of callers visited the Polk Miller Drug Company to witness the "five-minute demonstration" and secure a trial of the preparation.

"This is only the beginning," said one of the specialists. "During the next two weeks we expect to meet many people at this store, as many more are coming every day. During the rest of this week we will continue to let callers have a free trial of the tonic, but this will not be necessary after this week."

"Any man or woman in Richmond who is a victim of nervous debility is making a grave mistake if they do not try this tonic. In the first place, it does not require them to health it costs nothing, and it is certainly worth the trouble to come and get the tonic. It means constant poor health if they do not. Symptoms of nervous debility are often mistaken for something else—stomach trouble, as a rule—but there is no mistaking debility for anything else by those who understand it. The following are characteristic of this trouble: Lassitude, timidity, depression of spirits, little vitality, cold feet, headaches, stomach and bowel trouble, weak back, with dull pains at the base of the spine. These are all unmistakable symptoms of nervous debility, and there are thousands of people, especially in the larger cities, who are afflicted."

"Tona Vita" will act in such cases like a true specific. From the first moment the tonic is taken, improvement is rapid. A dozen people who started taking the tonic last week told us today that they are like different individuals. One woman told me she had not had a happy moment for four years until the last few days. She stated that she used to sing, but had been so depressed in spirits that she had not done so for several years. She told me she had been singing while attending her household duties during the last few days, as she had not done since she was a girl."

A trial is all that is necessary to prove to an individual suffering from nervous debility that this woman had good cause for singing. Eliminating debility from the system is like lifting a weight from the heart and a cloud from the brain.

The specialists will meet all callers daily at the Polk Miller Drug Company, 834 E. Main Street, between the hours of 9 A. M. and 5 P. M., and explain to them the nature of their preparation.

The manager of the store says: "We did not know much about this tonic a few weeks ago except that reliable people were putting it out and that leading druggists in the United States were getting the agency for it. The preparation has opened our eyes since the specialists arrived to introduce it. We have never seen such a tremendous demand for any tonic before, and the results we get from purchasers are very flattering."

and W. A. Worth teller—all officers of the Development Company. The witness read from the record of the stockholders' meeting abstracts to show these facts and from the by-laws to show the powers and duties of the officers. The list of directors elected in 1905 was read, and the officers elected—C. H. Davis, president; Harvey Seward, vice-president; C. R. Bishop, cashier, and W. A. Worth, secretary.

Cross-examined, Mr. Worth read from the by-laws the section covering the duties and powers of the directors in the election and removal of officers for cause. Mr. Davis was never removed. He resigned as president of the company on October 30, 1906, and as director on November 12, 1906. Mr. Davis was unanimously re-elected a director of the Trust Company at a meeting of the stockholders of the company in January, 1907, after a full discussion of the affairs of the bank, and on January 12, 1907, the directors elected Mr. Davis as president. The directors were all familiar with the transactions between Mr. Davis and the bank in 1908. At a directors' meeting on October 2, 1909, a resolution was adopted authorizing Mr. Davis and Mr. Bishop to negotiate a loan of \$250,000 on securities held by the bank. On January 11, 1910, the auditing committee of the bank reported the affairs of the bank to be in excellent condition and this was long after the alleged transactions occurred. W. L. Zimmer was president of the bank at this time.

Examined by Commonwealth's Attorney Mann, witness stated that he knew Charles Bishop's accounts were previously unsatisfactory and that Mr. Davis's account was overdrawn. He did not know at the time that Mr. Davis's overdrafts were unsatisfactory to the directors. Witness presumed that when Davis and Bishop were re-elected in 1909 the directors were familiar with all the affairs and transactions of the bank in 1908. Witness identified a note for \$50,000 and deed of trust on Centre Hill property, given by Mr. Davis, as he supposed, to secure his overdraft. As teller he never paid the overdrafts or overdrafts without consulting with and being told to pay them by Cashier Bishop.

When witness notified Mr. Davis of his overdrafts, Mr. Davis very promptly gave him a note and a deed on his valuable real estate to secure the bank.

Mr. Worth will resume the stand tomorrow at 10 o'clock.

The questions asked Mr. Worth were designed to show the good standing of Mr. Davis and his confidence felt in him by the directors and stockholders of the bank.

S.S.S. BEST TREATMENT FOR CATARRH

S. S. S. is the best treatment for Catarrh because it is a perfect blood purifier. It is the only medicine that is able to get down into the circulation and entirely remove the catarrhal matter and impurities which produce the trouble. As long as the mucous membranes and tissues are kept inflamed and irritated by this impure and infected condition of the blood Catarrh will remain. Its disagreeable and dangerous symptoms, of ringing noises in the ears, mucus dropping back into the throat, headaches, watery eyes, difficult breathing, and even stomach disorders and weakened health, cannot be permanently relieved until the blood is purified. Nothing equals S. S. S. for this purpose. It goes down to the very root of the trouble, and removes every particle of the catarrhal matter from the blood and enriches this vital fluid so that all the mucous surfaces are supplied with nutritive, healthful qualities, instead of being constantly irritated and inflamed by impurities in the circulation. Then the symptoms begin to pass away and when S. S. S. has entirely purified the blood, Catarrh is permanently cured and the general health greatly built up. Book on Catarrh and any medical advice desired sent free to all who write.

(THE SWIFT SPECIFIC CO., ATLANTA, GA.)

SHIP'S FITTINGS USED FOR FUEL

British Steamer Reaches Newport News in Distress After Rough Voyage.

Newport News, Va., February 7.—Twenty days overdue and with only the wooden fittings of the ship for fuel during the last two days' run, the British steamer Bracondale arrived here in distress this afternoon after one of the roughest voyages reported in years. The steamer left Volo, Greece, early yesterday for Newport News, on the 29th. After passing Gibraltar she encountered high winds and rough seas, and for sixteen consecutive days labored in the teeth of a strong head wind. Yesterday morning while 200 miles east, southeast of Cape Henry, the coal supply became completely exhausted, and all of Tuesday, Wednesday night and this morning the crew worked ceaselessly in tearing out and cutting up bulkheads, grain partitions, ladder fittings and framework. This was used for fuel, but the best efforts of the crew only resulted in getting a speed of from three to five knots out of the engine in a calm sea, the first good weather of the trip. When the ship entered port here this supply was exhausted, and before the ship could be docked the crew were ordered to burn the fittings of the ship. Captain Allen said to-night that the trip was the worst in his sea experience, and that but for the fact of calm weather yesterday and last night the ship could not have reached port. Even the cabin and galley fires had to be extinguished for economy.

FARMERS INDORSE WOMAN SUFFRAGE

Action Follows Speech by Miss Mary Johnston—Favor Co-Ordinate College.

[Special to The Times-Dispatch.]
Lynchburg, Va., February 7.—The annual convention of the Farmers' Union opened its second day's session this morning at 9 o'clock, with President Gannaway presiding. At 10 o'clock Hon. A. F. Thompson, of the House of Representatives, delivered a speech for nearly two hours, receiving close attention from his hearers. At the conclusion of Mr. Thompson's address, D. M. Blankenship offered the following resolution, which was unanimously adopted by the convention:

"Resolved, by the Virginia Division of the Farmers' Educational and Co-Operative Union of America, in convention assembled, that we earnestly request the General Assembly to enact into law the bill providing for co-ordinate education for the women of the State at the university."

A copy of the resolution was wired Hon. R. E. Byrd, H. U. Stephenson, N. B. Early and J. Taylor, all members.

Nathan H. Smith, of S. Barrett made a short speech, after which he introduced Miss Mary Johnston, of Richmond, who spoke in behalf of the Equal Suffrage League. After listening to Miss Johnston attentively the convention not only indorsed what she said, but indorsed the movement for women's suffrage.

The sessions are executive, its work being given out to the press through a press committee.

ASK CRUTCHFIELD TO ENFORCE LAW

Police Commissioners Request Justice to Impose Proper Fines for Street Obstruction.

Having only a working quorum, the Board of Police Commissioners transacted only routine business last night, except that they passed a resolution calling on Justice Crutchfield, of the Police Court, to enforce the ordinance relative to the blocking of the streets. Under a city ordinance, the minimum fine for blocking streets is \$5; the maximum fine, \$50. It was stated that Justice Crutchfield had rendered a majority of instances, imposed only a fine of \$2. In the year 1911 525 cases of blocking the streets were reported to the police, and by them, in turn, reported to Police Court. Complaints still come in, and the remedy applied is to block the streets with a car to answer. The resolution adopted by the Police Commissioners last night was formal in tone, and requests that the Police Justice enforce the ordinance.

Other matters came up before the commissioners, but were not acted upon, owing to the absence of several members.

THE WEATHER.

Forecast: For Virginia—Generally fair Thursday and Friday, somewhat colder in north and west sections by Thursday night; moderate west winds. For North Carolina—Fair Thursday and Friday, cooler in north and central portions Thursday; light west winds.

Special Local Data for Yesterday:
12 noon temperature 41
3 P. M. temperature 38
Maximum temperature up to 8 42
Minimum temperature down to 8 29
P. M. temperature 16
Mean temperature 26
Normal temperature 39
Deficiency in temperature 13
Deficiency in temperature since March 1, 1911 435
Accum. deficiency in temperature since January 1, 1912 355
Deficiency in rainfall since March 1, 1911 6.34
Accum. deficiency in rainfall since January 1, 1912 1.44

Local Observations 8 P. M. Yesterday:
Temperature 33
Humidity 75
Wind, direction S. W.
Wind, velocity 3
Weather Clear

CONDITIONS IN IMPORTANT CITIES.
(At 8 P. M. Eastern Standard Time.)
Place, T. T. L. T. Weather.
Asheville 30 28 12 Clear
Atlanta 34 40 18 Clear
Atlantic City 30 36 Cloudy
Boston 30 24 18 Partly Cloudy
Buffalo 18 20 12 Snow
Calgary 16 16 16 Cloudy
Charleston 40 46 30 Clear
Chicago 16 26 18 Cloudy
Denver 38 40 32 Cloudy
Duluth 2 12 8 Clear
Galveston 40 40 Clear
Hatteras 30 40 Clear
Havre 14 18 14 Cloudy
Jacksonville 42 52 34 Clear
Kansas City 18 28 18 Cloudy
Louisville 34 34 18 Cloudy
Montgomery 38 44 24 Clear
New Orleans 42 52 34 Clear
New York 38 44 24 Clear
Norfolk 30 40 26 Clear
Oklahoma 48 56 30 P. cloudy
Ostonsburg 18 20 14 Snow
Portland 48 54 24 Clear
St. Louis 2 20 20 Clear
St. Paul 6 10 4 Clear
San Francisco 56 66 50 Cloudy
Savannah 44 52 30 Clear
Spokane 38 38 36 Cloudy
Tampa 44 52 36 Clear
Washington 30 40 14 Cloudy
Winnipeg 8 10 14 Clear
Wytheville 24 28 2 Clear

MINIATURE ALMANAC.
February 8, 1912.
High Tide 8:54
Sun rises 7:09
Sun sets 6:40
Morning 8:54
Evening 9:18

Weak and Nervous?

The Right Medicine

Weak, tired, nervous, worn-out women, need a tonic to build up nerve force and vitality, to enable them to throw off disease. No matter from what form of womanly trouble you suffer, if your system is in a run-down condition, the first help you need is strength.

Women, in this condition, should take a woman's tonic—Cardui—the one which acts on the womanly organs and constitution. Its 50 years of wonderful success is unquestionable proof that it is the right medicine for YOU. The fact that it has benefited and relieved more than a million women in this time, is a guarantee as to its merits.

Mrs. Addie Adams, of Sharon, Tenn., writes: "My oldest daughter took cold and was down with chills and fever nearly a whole year."

She was so nervous and excitable, and weak, she was no use to herself, or anyone else.

I gave her every remedy anyone recommended, until I was out of heart about her. At that time, I had never used Cardui, but just thought I would try it.

When she had taken the third bottle, she was well, and has been so ever since.

I tell my neighbors that if Cardui won't help them, there is no use trying anything else, for Cardui is the best remedy made."

Try Cardui for your troubles.



CARDUI The Woman's Tonic

HG 19

News of South Richmond

South Richmond Bureau, 209 Hull Street, Phone Madison 115.

After carefully viewing three negro suspects in their cells at the Third Police Station, Miss Matilda Lane, the young girl who was attacked Monday night near her home in Swansboro, positively identified Charles Carrington colored, twenty-one years old, as her assailant. Carrington and two other negroes, James Booker and William Morris, were placed under arrest yesterday afternoon, charged with being suspicious characters.

Officer Jarrell, of Chesterfield county, who has worked untiringly in his efforts to find a trace of the culprit, yesterday morning ran across a clew which led him to believe that Carrington was the man he sought. The negro hearing that Jarrell was looking for him attempted to escape, but was rounded up in a field below the city. He later denied being near the Lane home Monday night, but later admitted that he had been in the company with Booker and Carrington about an hour before the attack was made. The South Richmond police were notified to be on the lookout for Booker, and Officer Jarrell was given a copy of the description given by Miss Lane, in which she stated that her assailant had worn a dark overcoat and a cap. He also tallied as to size and color.

The men will be taken to the Richmond City Jail this morning for safekeeping. A warrant will be issued before Magistrate L. W. Cheatham for Carrington, charging him with being the principal, and one for Morris, charging him with being an accessory. It is expected that Carrington will be released on bail.

Nothing definite came from the meeting.

SUPT. EGGLESTON INVITES PROBE

Says Department of Education Is Ready for Investigation.

"So far as an investigation of the Department of Education is concerned," said J. D. Eggleston, Superintendent of Public Instruction, yesterday, "we invite at any time. The methods of this office are open to public scrutiny and question whenever the General Assembly sees fit. What we do object to is any hit at the integrity and good intentions of the men in the department."

Both Mr. Eggleston and Secretary R. C. Stearnes seemed in the best humor, and entirely undisturbed by the threats of certain Chesterfield citizens to "expose" the Department of Education. Mr. Eggleston only took up one or two of the charges brought in the petition for investigation.

"There is not the shadow of a possibility that the first charge—that we have allowed our books to be altered by county superintendents after they are in our office—can be substantiated. The only thing to be found there is a pretty man's nest. The old complaint that our reports are not in on time is in a measure just, but the blame is not to be put against this department, but against the General Assembly. We have repeatedly asked the Assembly for legislation that will enable the department to make the county superintendents send us their reports on time. We have such a bill pending before the assembly at this time. As for the investigation into the school affairs of Chesterfield county, asked in the petition, that is beyond the power of the Assembly. The Assembly can investigate the State Department, but the investigation of county affairs is in our hands. We are ready at any time to turn the searchlight on the school affairs of Chesterfield, if there is ground for complaint."

Temperance Meeting.
The temperance institute to be given today at Immanuel Baptist Church, at Fifth and Leigh streets, under the auspices of the Woman's Temperance League of America, will begin at 8 o'clock in the afternoon. There will be several addresses at the first session.

Will Build New Congregational.
Sallybury, N. C., February 7.—The building of a new Congregational Church in Sallybury was a special order of the Rowan County Board of Commissioners at a regular meeting held this week. The order provides that the structure shall cost \$100,000 to \$125,000, and that bids be taken at once. A vacant piece of land on Main Street, for many years used for a jail site, will be used for the new churchhouse.

last night, but a full report, if put in the hands of every taxpayer in the county, would open many eyes. Another meeting of the issue will be held in a few weeks, at which time measures for a relief from the intolerable situation will be discussed.

In Police Court.
On a charge of stealing a watch, valued at \$25, from J. T. Bowles, Herman Slaughter was sent to jail for ninety days by Judge H. A. Maurice in the Police Court, Part 2, yesterday morning.

George Mann, charged with being drunk, was sent to jail for ten days in which to sober up. George will, upon his release, become a member of the Southside probation camp.

The weekly docket, containing ten small cases, was heard by Justice Maurice yesterday morning.

To Hear Suit To-Day.
The suit of J. S. Wakefield against O. Hooker and H. Mahaley is scheduled for a hearing before Judge E. H. Wells in the Hastings Court, Part 2, this morning. Wakefield is seeking, in assumption, to recover the sum of \$1,500 from the defendants.

Mary Burrows.
Having a dispute for a public wedding, Miss Ella May and William W. Burrows slipped off to Washington, D. C., where they were quietly married yesterday afternoon. While the marriage is a surprise to many friends of the young couple, it was not wholly unexpected. They have been lifelong friends. After a short bridal tour

Mr. and Mrs. Burrows will make their home in Swansboro.

Funeral of Mr. Knowles.
The funeral of Sydney H. Knowles, who died Monday at his home in Swansboro, was conducted yesterday afternoon at 2:30 o'clock from the West End Memorial Church. The services were conducted by the pastor, Rev. Mr. Thift, assisted by Rev. J. M. Rowland and Rev. N. L. Lofin. The active pallbearers were B. P. Davis, W. H. Clement, T. M. Jennings, C. H. Dorset, E. A. Nunnally, James D. Fitzgerald, D. B. East and J. H. Jones. Honorary pallbearers were selected from Liberty Council, No. 15, J. O. U. A. M. The burial was in Maury Cemetery.

Personal Mention.
Howard P. Willard, of East Twelfth Street, has accepted a position with the Seaboard Air Line, and will have headquarters at Raleigh.

A. L. Traylor continues very ill at his home on Horton Avenue, Oak Grove. Miss Kate Richardson is very sick at her home, 512 East Ninth Street.

Miss Elizabeth Morton is confined to her home by a slight sickness.

Arrests Last Night.
William Dandridge, colored, was arrested last night on a charge of stealing a box of tobacco from the Seaboard Air Line Railway Company.

Silas Anderson, colored, was arrested on a charge of stealing a watch from the person of John Thomas.

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WE announce with pleasure the opening of a Richmond sales agency, on February 1st, 1912, with Mr. D. S. Williams in charge.

Our location will be the Mutual Building, Room 1218, where we hope to serve your interests better than ever before, by placing at your disposal in Richmond the best of our knowledge and experience in the handling of business methods and systems.

Your requirements of whatever nature will receive prompt and considerate attention.

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